

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

SIDNEY KEYS,

Plaintiff,

vs.

AMEREN ELECTRIC,

Defendant.

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Case No. 4:24-cv-00325-MTS

**MEMORANDUM AND ORDER**

This matter is before the Court upon self-represented Plaintiff Sidney Keys's Application to Proceed in District Court Without Prepaying Fees or Costs. Doc. [3]. After a review of Plaintiff's Application, the Court will deny it without prejudice.

Plaintiff's Application states his take-home pay is \$4,000.00, but he fails to specify the pay period (*e.g.*, monthly, weekly, etc.). The Court cannot determine whether he is truly unable to pay the filing fee if the Court does not know Plaintiff's income. What is more, Plaintiff's Application appears internally inconsistent. In the section that required him to list any automobiles he owned, he wrote "N/A." Yet, in the section that required him to list his debts and financial obligations, he listed automobile insurance and automobile payments.

The Court will provide Plaintiff thirty days by which to pay the \$405 filing fee or to carefully complete and file another application to proceed in district court without prepaying fees or costs. The Court reminds Plaintiff that the declarations made in the

Application are made under penalty of perjury. *See* 18 U.S.C. § 1621 (providing penalties for perjury); *see also* Fed. R. Civ. P. 11(b)–(c) (allowing for sanctions for misrepresentations made to the court).\*


Accordingly

**IT IS HEREBY ORDERED** that Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs, Doc. [3], is **DENIED**. No later than **Wednesday, May 1, 2024**, Plaintiff must pay the \$405 filing fee or carefully complete and file another application to proceed in district court without prepaying fees or costs.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Appointment of Counsel, Doc. [2], is **DENIED** without prejudice.

**Plaintiff's failure to timely comply with this Order will result in the dismissal of this action without prejudice and without further notice.**

Dated this 1st day of April 2024.

A handwritten signature in black ink, appearing to read 'Matthew T. Schelp', written over a horizontal line.

MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE

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\* Plaintiff also has moved for the appointment of counsel. After consideration of the relevant factors, the Court concludes the Motion should be denied. *See Phillips v. Jasper Cty. Jail*, 437 F.3d 791, 794 (8th Cir. 2006) (discussing factors).